

**Amendments to the Claims:**

This listing of the claims will replace all prior versions and listings of claims in the application.

1. (Currently amended) A method carried out via an internet website for effectuating one or more incentive programs between two or more partners in a supply community which enables a first partner (also known as an “establishing partner”) to establish financial consequences that motivate one or more other partners in each incentive program (referred to herein as one or more “participating partners”) to achieve or exceed a minimum required level of performance on at least one performance indicator that measures aggregate performance for a set of events defined by a time or event count period wherein the one or more participating partners, the performance indicators, the minimum level of performance required for each performance indicator, and the financial consequence for each performance indicator are selected and specified by the establishing partner, the method including the steps of:

sending invitations from a plurality of establishing partners via an internet website hosted on a server to one or more members of a supply community to become one or more participating partners in incentive programs;

for each incentive program, receiving via the internet website a selection of at least one performance indicator that measures aggregate performance for a set of events defined by a time or event count period for each participating partner;

receiving via the internet website a minimum level of performance for each of the at least one performance indicators in each incentive program;

receiving via the internet website a financial consequence to motivate the at least one participating partner to achieve the minimum required level of performance in each incentive program;

receiving via the internet website acceptances of participation in a plurality of contemporaneous incentive programs from at least one member who thereby becomes a participating partner; and

outputting from the internet website a financial credit or financial debit due to the each participating partner in each incentive program;

wherein at least one participating partner, or the establishing partner, or both, is a shipper, consignee or carrier in a transportation marketplace.

2. (Previously presented) The method as claimed in claim 1 wherein the at least one participating partner is from a group of one or more partners where the group is defined by a common attribute that does not include the establishing partner.
3. (Canceled)
4. (Previously presented) The method as claimed in claim 1 wherein the establishing partner selects a group of at least one other partner and all partners in the selected group of partners share a common attribute.
5. (Original) The method as claimed in claim 1 wherein the establishing partner selects at least one other partner from more than one group of partners, each group having at least one other partner.
6. (Previously presented) The method as claimed in claim 1 wherein the financial consequence includes a financial reward favorable to the at least one participating partner when the required level of performance is achieved.
7. (Previously presented) The method as claimed in claim 1 wherein the financial consequence includes a financial consequence unfavorable to the at least one participating partner when the minimum required level of performance is not achieved
8. (Previously presented) The method as claimed in claim 6 wherein the financial consequence is a financial reward that is less than or more than the net cost savings realized by the establishing partner for each unit increment improvement in performance when the at least one participating partner achieves and exceeds the minimum required level of performance on the at least one performance indicator.

9. (Canceled).
10. (Canceled).
11. (Canceled).
12. (Previously presented) The method as claimed in claim 1 comprising specifying the time or event count period of a selected performance indicator and designating the minimum required level of performance and the financial consequence for each selected performance indicator for each participating partner.
- 13 - 15. (Canceled).
16. (Previously presented) The method as claimed in claims 1 or 6 including increasing any favorable reward or reducing the minimum required level of performance for a selected performance indicator any time during the time or event count period for that incentive program.
17. (Canceled)
18. (Previously presented) The method as claimed in claim 16 wherein the one or more incentive programs each has a duration and wherein the establishing partner changes the time or event count period for a selected performance indicator during the incentive program, wherein the time or event count period is not longer than the duration of the incentive program.
19. (Canceled).
20. (Previously presented) The method as claimed in claim 1 further comprising the steps of: collecting and storing data necessary to calculate the selected performance indicators wherein the data quantitatively describes a product or service provided and the means of providing the product or service using selected attributes.

21. (Currently amended) A system for effectuating collaboration between one or many buyers and sellers, and their third party service providers in a supply community by operating an incentive program which enables an establishing partner to establish consequences that motivate one or more other partners in each incentive program (referred to herein as one or more “participating partners”) to achieve or exceed a minimum required level of performance on at least one performance indicator that measures aggregate performance for a set of events defined by a time or event count period wherein the other partners, the performance indicators, the minimum level of performance required for each performance indicator, and the consequences for each performance indicator are selected and specified by the establishing partner, the system comprising:

means for inviting at least one member of the community to be a participating partner in at least one incentive program;

means for the establishing ~~party~~ partner to select at least one performance indicator for each participating partner and to specify the minimum aggregated measure of performance and a financial consequence for the at least one selected performance indicator for a set of events defined by a time or event count period;

means for the at least one member to accept a plurality of invitations and thus become at least one participating partner in a plurality of contemporaneous incentive programs;

means for collecting and storing data necessary to calculate an aggregated measure of performance of the at least one participating partner on the at least one selected performance indicator;

means for analyzing the collected and stored data to generate an aggregated measure of performance for the time or event count period; and

means for determining the financial credit or financial debit due to each participating partner in each incentive program;

wherein at least one participating partner, or the establishing partner, or both, is a shipper, consignee or carrier in a transportation marketplace.

22. (Previously presented) The system as claimed in claim 21 wherein the at least one participating partner is selected from a group of one or more partners where the group is defined by a common attribute and does not include the group of the establishing partner.
23. (Canceled)
24. (Previously presented) The system as claimed in claim 21 wherein the establishing partner selects a group of at least one other partner where the at least one other partner in the selected group of partners shares a common attribute.
25. (Previously presented) The system as claimed in claim 21 wherein the establishing partner selects at least one other partner from more than one group of partners each group having at least one other partner.
26. (Previously presented) The system as claimed in claim 21 wherein the financial consequences is a financial reward favorable to the at least one participating partner.
27. (Previously presented) The system as claimed in claim 21 wherein the financial consequence for a selected incentive comprises a financial penalty unfavorable to the at least one participating partner when the minimum required level of performance is not achieved.
28. (Previously presented) The system as claimed in claim 26 wherein the financial consequence is a financial reward that is less than or more than the net cost savings realized by the establishing partner for each unit improvement in performance when the at least one participating partner achieves and exceeds the minimum required level of performance on the at least one performance indicator.
29. (Canceled)
30. (Canceled).

31. (Canceled).
32. (Previously presented) The system as claimed in claim 21 wherein the establishing partner can establish the time or event count period of the selected performance indicators and designate the minimum required level of performance and the financial consequence for each selected performance indicator for at least one participating partner.
33. (Canceled).
34. (Canceled).
35. (Canceled).
36. (Previously presented) The system as claimed in claims 21 or 26 wherein the establishing partner may increase any favorable reward or reduce the minimum required level of performance for a specified performance indicator anytime during the time or event count period for that incentive program.
37. (Previously presented) The system as claimed in claim 36 wherein the establishing partner may lower the time or event count period at anytime.
38. (Canceled).
39. (Canceled)
40. (Previously presented) The system as claimed in claim 21 wherein the system is modular in design and the modules include a customer care module, a data entry and management module, and incentive program creation and management module and an account management module.
41. (Original) The system as claimed in claim 40 wherein the customer care module provides information for prospective partners, enrolls joining partners, and provides new partners with information, communication tools and training tools; the master data entry and management module maintains the required and necessary master data about each

business and locations; the transaction module enters and manages the data that drives the performance and incentive modules; the performance module evaluates the performance of each participating partner against the key performance indicators; the incentive program creation and management module provides the partners with means to create and manage their own incentive programs; and the account management module provides a monthly financial report and invoice for each partner.

42. (Previously presented) The system as claimed in claim 21 wherein the establishing partner selects a group of partners and all partners in the selected group of partners share a common attribute, the establishing partner selects partners from more than one group of partners, the financial consequence for a selected performance indicator may be more than or less than the net cost savings realized by the establishing partner for each unit improvement in the at least one performance indicator, the at least one participating partner must participate in all incentive programs with all establishing partners, the at least one selected partners may elect to participate or not participate in any incentive program with any establishing partner, the establishing partner can specify the time and event count period for each incentive for each other partner, the establishing partner can specify the time or event count period for each incentive for at least one selected partner, the establishing partner can specify the minimum required level of performance for a selected performance indicator with at least one selected partner, the establishing partner may change the time or event count period at anytime provided that the time or event count period is not longer than the incentive program, and the establishing partner may discontinue an incentive program at anytime after the completion of the time or event count period for that incentive program.

43. (Currently amended) A method carried out via an internet website for effectuating one or more incentive programs between two or more partners in a supply community which enables a first partner (also known as an “establishing partner”) to establish financial consequences that motivate one or more other partners in each incentive program (referred to herein as one or more “participating partners”) to achieve or exceed a minimum required level of performance on at least one performance indicator that measures aggregate performance for a set of events defined by a time or event count period wherein the one or more participating partners, the performance indicators, the minimum level of performance required for each performance indicator, and the financial consequence for each performance indicator are selected and specified by the establishing partner, the method including the steps of:

sending invitations from an internet website hosted on a server to one or more members of a supply community to become one or more participating partners in incentive programs;

for each incentive program, receiving via the internet website a selection of at least one performance indicator that measures aggregate performance for a set of events defined by a time or event count period for each participating partner;

receiving via the internet website a minimum level of performance for each of the at least one performance indicators in each incentive program;

receiving via the internet website a financial consequence to motivate the at least one participating partner to achieve or the minimum required level of performance in each incentive program;

receiving via the internet website acceptances of participation in a plurality of contemporaneous incentive programs from at least one participating partner and

outputting from the internet website a financial credit or financial debit due to the each participating partner for the time or event count period in each incentive program;



wherein the establishing partner and the at least one selected partner may be in the same corporate entity; and

wherein at least one participating partner, or the establishing partner, or both, is a shipper, consignee or carrier in a transportation marketplace.

44. (Canceled).
45. (Currently amended) A system for effectuating collaboration between one or many buyers and sellers, and their third party service providers in a supply community by operating an incentive program which enables an establishing partner to establish consequences that motivate one or more other partners in each incentive program (referred to herein as one or more “participating partners”) to achieve or exceed a minimum required level of performance on at least one performance indicator that measures aggregate performance for a set of events defined by a time or event count period wherein the other partners, the performance indicators, the minimum level of performance required for each performance indicator, and the consequences for each performance indicator are selected and specified by the establishing partner, the system comprising:
- means for inviting at least one member of the community to be a participating partner in the incentive program;
  - means for the establishing party to select at least one performance indicator for each participating partner and to specify the minimum aggregated measure of performance and a financial consequence for the at least one selected indicator for a set of events defined by a time or event count period;
  - means for collecting and storing data necessary to calculate an aggregated measure of performance of the at least one partner on the at least one selected performance indicator;
  - means for analyzing the collected and stored data to generate an aggregated measure of performance for the time or event count period; and

means for determining the financial credit or financial debit due to the at least one selected and participating partner for the time or event count period;

wherein the establishing partner and the at least one selected partner are in the same corporate entity; and

wherein at least one participating partner, or the establishing partner, or both, is a participant in a transportation marketplace.

46. (Previously presented) The system as claimed in claim 21 wherein the establishing partner and the at least one selected partner may be in the same corporate entity.
47. (Previously presented) The method as claimed in claim 1 wherein the establishing partner selects a group of partners and all partners in the selected group of partners share a common attribute, the establishing partner selects partners from more than one group of partners, the financial consequence for a selected performance indicator may be more than or less than the cost savings realized by the establishing partner for each unit improvement in the at least one performance indicator, the at least one selected partner may elect to participate or not to participate in any incentive program and with any establishing partner, the establishing partner can specify the time or event count period for each performance indicator for at least one selected partner, the establishing partner can specify the minimum required level of performance for a selected performance indicator with at least one selected partner, the establishing partner may change the time or event count period for a performance indicator at anytime provided the time or event count period is not longer than the incentive program, and the establishing partner may discontinue an incentive program at anytime after the completion of the time or count duration period for the selected incentive program.
48. (Previously presented) The method of claim 1 wherein the establishing partner and participating partners are members of a transportation marketplace.

49. (Previously presented) The system of claim 21 wherein the establishing partner and participating partners are members of a transportation marketplace.
50. (Previously presented) The method of claim 1 wherein the at least one performance indicator measures performance of the participating party in relation to third parties.
51. (Previously presented) The system of claim 21 wherein the at least one performance indicator measures performance of the participating party in relation to third parties.
52. (Currently amended) A method carried out over the internet for effectuating one or more incentive programs between two or more partners in a supply community including one or more establishing partners and one or more participating partners to establish financial consequences that motivate the one or more participating partners in each incentive program to achieve or exceed a minimum required level of performance on at least one performance indicator that measures aggregate performance for a set of events defined by a time or event count period, wherein the performance indicators, the minimum level of performance required for each performance indicator, and the financial consequence for each performance indicator in an incentive program are selected and specified by an establishing partner, the method including the steps of:
- providing an internet website for creating a supply community of potential partners for incentive programs;
  - receiving at the internet website data pertaining to an incentive program from each establishing partner;
  - outputting from the internet website invitations to participate in an incentive program;
  - receiving from partners data indicating enrollment in an incentive program to thus become participating partners in the incentive program;
  - recording and storing incentive program details at the internet website;
  - collecting transaction data at the internet website;
  - calculating KPI's and gainshare credits in accordance with the incentive program at the internet website;

outputting from the internet website financial results to the establishing and each participating partner; and

settling debits and credits among partners in the incentive program via the internet website;

wherein at least one participating partner, or the establishing partner, or both, is a shipper, consignee or carrier in a transportation marketplace.

53. (Previously presented) The method as claimed in claim 52 wherein the at least one participating partner is from a group of one or more partners where the group is defined by a common attribute that does not include the establishing partner.
54. (Previously presented) The method as claimed in claim 52 wherein the establishing partner selects at least one other partner from more than one group of partners, each group having at least one other partner.
55. (Previously presented) The method as claimed in claim 52 wherein the financial consequence includes a financial reward favorable to the at least one participating partner when the minimum required level of performance is achieved.
56. (Previously presented) The method is claimed in claim 55 wherein the financial consequence for a selected incentive is a financial reward that is less than or more than the net cost savings realized by the establishing partner for each unit increment improvement in performance when the at least one participating partner achieves and exceeds the minimum required level of performance on the at least one performance indicator.
57. (Previously presented) The method as claimed in claim 52 comprising specifying the time or event count period of a selected performance indicator and designating the minimum required level of performance and the financial consequence for each selected performance indicator for each participating partner.
58. (Previously presented) The method as claimed in claim 52 including increasing any favorable reward or reducing the minimum required level of performance for a selected

performance indicator any time during the time or event count period for that incentive program.

59. (Canceled)
60. (Previously presented) The method as claimed in claim 58 wherein the one or more incentive programs each has a duration and wherein the establishing partner changes the time or event count period for a selected performance indicator during the incentive program, wherein the time or event count period is not longer than the incentive program.
61. (Previously presented) The method as claimed in claim 52 further comprising the steps of: collecting and storing data necessary to calculate the selected performance indicators wherein the data quantitatively describes the product or service provided and the means of providing the product or service using selected attributes.
62. (Previously presented) The method of claim 52 wherein the establishing partner and participating partners are members of a transportation marketplace.
63. (Previously presented) The method of claim 52 wherein the at least one performance indicator measures performance of the participating party in relation to third parties.
64. (Previously presented) The method of claim 52 comprising outputting invitations from a plurality of establishing partners.
65. (Previously presented) The method of claim 52 wherein the KPI's comprise shipping performance indicators comprising (a) on-time by location, (b) power dwell time by ship location, (c) trailer dwell times by drop location, or a combination including one or more of (a), (b) and/or (c).
66. (Previously presented) The method of claim 52, wherein partners becoming participating partners comprise business units within a single business entity.

67. (Previously presented) The method of claim 52 comprising an establishing partner, a participating partner and a third party partner all in a truckload transportation marketplace.

68. (Currently amended) A method carried out via an internet website for effectuating one or more incentive programs between two or more partners in a supply community which enables a first partner (also known as an “establishing partner”) to establish financial consequences that motivate one or more other partners in each incentive program (referred to herein as one or more “participating partners”) to achieve or exceed a minimum required level of performance on at least one performance indicator that measures aggregate performance for a set of events defined by a time or event count period wherein the one or more participating partners, the performance indicators, the minimum level of performance required for each performance indicator, and the financial consequence for each performance indicator are selected and specified by the establishing partner, the method including the steps of:

- sending invitations from a plurality of establishing partners via an internet website hosted on a server to one or more members of a supply community to become one or more participating partners in incentive programs;

- receiving into the internet website a selection of at least one performance indicator that measures aggregate performance for a set of events defined by a time or event count period for each participating partner;

- receiving into the internet website a minimum level of performance for each of the at least one performance indicators in each incentive program, the performance indicators relating to performance in a truckload transportation marketplace;

- receiving into the internet website a financial consequence to motivate a participating partner to achieve or the minimum required level of performance in each incentive program;

- receiving, via the internet, an acceptance of participation in an incentive program from at least one participating partner; and

outputting from the internet website a financial credit or financial debit due to the each participating partner for the time or event count period in each incentive program;  
wherein at least one participating partner, or the establishing partner, or both, is a shipper, consignee or carrier in a transportation marketplace.

69. (Currently amended) A system for effectuating collaboration between one or many buyers and sellers, and their third party service providers in a supply community by operating an incentive program which enables an establishing partner to establish consequences that motivate one or more other partners in each incentive program (referred to herein as one or more “participating partners”) to achieve or exceed a minimum required level of performance on at least one performance indicator that measures aggregate performance for a set of events defined by a time or event count period wherein the other partners, the performance indicators, the minimum level of performance required for each performance indicator, and the consequences for each performance indicator are selected and specified by the establishing partner, the system comprising:

means for inviting at least one member of the community to be a participating partner in the incentive program;

means for the establishing party to select at least one performance indicator for each participating partner and to specify the minimum aggregated measure of performance and a financial consequence for the at least one selected indicator for a set of events defined by a time or event count period;

means for the at least one member to accept an invitation and thus become at least one participating partner;

means for collecting and storing data necessary to calculate an aggregated measure of performance of the at least one participating partner on the at least one selected performance indicator;

means for analyzing the collected and stored data to generate an aggregated measure of performance for the time or event count period; and

means for determining the financial credit or financial debit due to the at least one participating partner for the time or event count period;

wherein the at least one participating partner or the establishing party, or both, is a shipper, consignee or carrier participant in a transportation marketplace.

70. (Previously presented) The system of claim 69 wherein the at least one participating partner or the establishing party, or both, is a trucker or a carrier.
71. (Previously presented) The system of claim 69 wherein the at least one performance indicator comprises (a) on-time by location (versus appointment), (b) power dwell time by ship location, (c) trailer dwell times (turns) by drop location, or a combination thereof.
72. (Currently amended) A method carried out via an internet website for effectuating one or more incentive programs between two or more partners in a supply community which enables a first partner (also known as an “establishing partner”) to establish financial consequences that motivate one or more other partners in each incentive program (referred to herein as one or more “participating partners”) to achieve or exceed a minimum required level of performance on at least one performance indicator that measures aggregate performance for a set of events defined by a time or event count period wherein the one or more participating partners, the performance indicators, the minimum level of performance required for each performance indicator, and the financial consequence for each performance indicator are selected and specified by the establishing partner, the method including the steps of:
- sending invitations from a plurality of establishing partners via an internet website hosted on a server to one or more members of a supply community to become one or more participating partners in incentive programs;
  - receiving into the internet website a selection of at least one performance indicator that measures aggregate performance for a set of events defined by a time or event count period for each participating partner;
  - receiving into the internet website a minimum level of performance for each of the at least one performance indicators in each incentive program, the at least one



performance indicator relating to the performance of a participating partner in relation to a third party;

receiving into the internet website a financial consequence to motivate a participating partner to achieve or the minimum required level of performance in each incentive program;

receiving, via the internet, an acceptance of participation in an incentive program from at least one participating partner; and

outputting from the internet website a financial credit or financial debit due to the each participating partner for the time or event count period in each incentive program;

wherein at least one participating partner, or the establishing partner, or both, is a shipper, consignee or carrier in a transportation marketplace.

73. (Currently amended) A system for effectuating collaboration between one or many buyers and sellers, and their third party service providers in a supply community by operating an incentive program which enables an establishing partner to establish consequences that motivate one or more other partners in each incentive program (referred to herein as one or more “participating partners”) to achieve or exceed a minimum required level of performance on at least one performance indicator that measures aggregate performance for a set of events defined by a time or event count period wherein the other partners, the performance indicators, the minimum level of performance required for each performance indicator, and the consequences for each performance indicator are selected and specified by the establishing partner, the system comprising:

means for inviting at least one member of the community to be a participating partner in the incentive program;

means for the establishing party to select at least one performance indicator for each participating partner and to specify the minimum aggregated measure of performance and a financial consequence for the at least one selected indicator for a set of events defined by a time or event count period;

means for the at least one member to accept an invitation and thus become at least one participating partner;

means for collecting and storing data necessary to calculate an aggregated measure of performance of the at least one participating partner on the at least one selected performance indicator;

means for analyzing the collected and stored data to generate an aggregated measure of performance for the time or event count period; and

means for determining the financial credit or financial debit due to the at least one participating partner for the time or event count period;

wherein the performance indicator relates to the performance of a participating partner in relation to a third party;

wherein at least one participating partner, or the establishing partner, or both, is a shipper, consignee or carrier in a transportation marketplace.

74. (Previously presented) The method of claim 1 wherein the establishing partner lowers the time or event count period at anytime during the incentive program.
75. (Previously presented) The method as claimed in claim 52 wherein the financial consequence includes a financial consequence unfavorable to the at least one participating partner when the minimum required level of performance is not achieved.